

## **REMARKS**

As a preliminary matter, Applicant appreciates the acknowledgement that there are 13 claims pending in this application. However, there is no rejection of claim 13 described in the Office Action.

Claims 1, 3-6 and 9-12 stand rejected under 35 U.S.C. § 103 on the basis on Kimlinger, et al. '952 and Comerford, et al. '413. Applicant traverses this rejection for the following reasons.

Column 8, lines 41-54 in Kimlinger, et al. identified by the Examiner, describe managing respectively different restrictions that apply to a plurality of files with respect to reading these files and/or writing into these files, in particular, using keys for accomplishing management in this respect. These lines in Kimlinger, et al. however, are not concerned with access management exercised over accesses made to a smart card. These lines, in particular, do not disclose anything about determining whether the accessing application programs are authorized to access a smart card, i.e., to access an entire smart card rather than respective files.

The Examiner asserts that column 5, lines 10-30 in Comerford, et al. disclose the exclusion control unit of the present invention, but they only disclose processing steps associated with transferring a right of activating and executing a program. These lines in Comerford, et al. do not disclose anything related with the exclusion control unit exerting an exclusive control over plural application programs respectfully issuing access requests for making access to a smart card (token).

The Examiner states that an application program can be considered equivalent to a control program. Applicant respectfully disagrees, because Comerford, et al. is concerned with having only one control program and not with having a plurality of programs (as in the case of the present invention that assumes a plurality of application programs). There is, therefore, no chance of a plurality of control programs requesting access to a token and exclusion control need not be performed. Withdrawal of this rejection is respectfully requested.

For the foregoing reasons, Applicant believes that this case is in condition for allowance, which is respectfully requested. The examiner should call Applicant's attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By 

Patrick G. Burns  
Registration No. 29,367

September 14, 2005

300 South Wacker Drive  
Suite 2500  
Chicago, Illinois 60606  
Telephone: 312.360.0080  
Facsimile: 312.360.9315  
Customer No. 24978  
P:\DOCS\1503\65307\760602.DOC